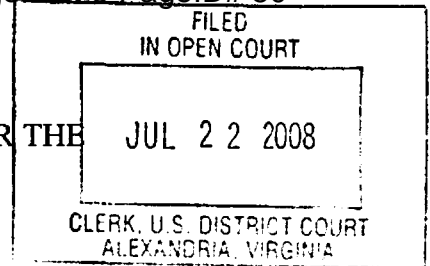


IN THE UNITED STATES DISTRICT COURT FOR THE
EASTERN DISTRICT OF VIRGINIA
Alexandria Division



UNITED STATES OF AMERICA)
)
) v. CRIMINAL NO. 1:08CR283-TSE
)
IRA LESLIE WALTRIP,)
)
) Defendant.)

STATEMENT OF FACTS

Had this matter gone to trial, the United States would have proven the following beyond a reasonable doubt through witnesses, testimony, and other competent and admissible evidence.

In April 2008, Ira Leslie Waltrip was a civilian contract employee working in Iraq in support of the Armed Forces serving in Iraq. Mr. Waltrip had signed a contract with Department of Defense contractor, Kellogg, Brown and Root (KBR). His December 7, 2006 contract assigned Mr. Waltrip to Services Employees International, Inc. as a TTM Bus Driver in Iraq, U.S. Army Central Command Area of Operations. He was issued a Letter of Authorization (LOA) by KBR on or around December 7, 2006 identifying him as support to the U.S. Army's LOGCAP contract "in support of Operation Iraqi Freedom" and "providing direct support to U.S. Forces." The LOA placed Mr. Waltrip "under the administrative control of the designated Army Field Support Brigade (AFSB) and/or the Army Material Command (AMC) Forward Commander."

Mr. Waltrip entered the Iraq Theater of Operations after December 7, 2006. Mr. Waltrip was assigned around Camp Liberty, Baghdad, Iraq in the Multinational Division - Baghdad

(MND-B) Area of Operations (AO) and began working with a KBR labor force in support of Armed Forces.

In early April 2008, Ira Leslie Waltrip loaned a container of CD-ROM and DVD-ROM disks to a fellow contract employee before departing Iraq on leave. Subsequently, the employee discovered apparent child pornography images on one of the CD-ROM disks provided by Waltrip. The employee described the images to KBR investigators at Camp Liberty, Iraq, who conducted a search of Mr. Waltrip's personal living area in Camp Liberty, Iraq on or about April 16, 2008, and seized a laptop computer, several external hard drives, and CD's and DVD's as evidence. One of the investigators conducted an examination of several of the CD's he believed could contain child pornography, and located multiple photographs of Caucasian females, about 10 years old, posing and performing various sex acts. KBR security investigators provided the seized evidence to Army CID agents for further investigation of the suspected criminal offense.

On or about April 19, 2008, Mr. Waltrip agreed to be interviewed by Army CID Special Agent (SA) Wines and initialed a written statement. Mr. Waltrip signed and initialed a "RIGHTS WARNING PROCEDURE/WAIVER CERTIFICATE," which provided a written version of his constitutional rights regarding questioning by CID. The document was also signed by SA Wines. In his statement to SA Wines, Mr. Waltrip admitted between 2000 and 2004, while in the U.S., using his personal laptop computer and the peer-to-peer file sharing program LimeWire to download numerous images and videos of what he knew to be child pornography. Mr. Waltrip admitted to possessing images and video containing what he knew to be child pornography on his 750GB external hard drive that he possessed at Camp Liberty in Iraq.

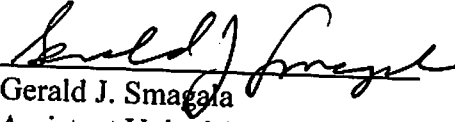
Mr. Waltrip was subsequently arrested for possession of child pornography and was taken on a commercial airline flight from Kuwait on or around April 30, 2008. Mr. Waltrip traveled through the Washington Dulles International Airport located in Dulles, Virginia to the Austin-Bergstrom International Airport located in Austin, Texas. Mr. Waltrip had a temporary layover on or around May 1, 2008 at the Washington Dulles International Airport pending his connecting flight to Austin-Bergstrom International Airport. Mr. Waltrip cleared Customs and entered the United States at Washington Dulles International Airport, in the Eastern District of Virginia on May 1, 2008.

SA Wines submitted all the seized electronic evidence in this case to the Army's forensic lab in Camp Victory, Baghdad, Iraq for evaluation and analysis. An Army computer forensics examiner conducted an examination of Waltrip's computer, external hard disk drives and CD-ROM and DVD-ROM disks and found numerous image and video files of children engaging in sexually explicit conduct. More than one of these files depict prepubescent children engaging in sexual activity or lasciviously displaying their genitalia. These computer files were sent to the National Center For Missing And Exploited Children (NCMEC) to determine if any of them depicted victims already identified by law enforcement. The NCMEC analysis determined that the submitted evidence depicted 297 image from 17 known series were of identified minor victims. The minor victims depicted in movie files included "Helen," photographed engaging in sexually explicit conduct in the United Kingdom between five and nine years old, and "RCA," photographed in Georgia between four and six years old while engaging in sexually explicit conduct.


In all instances described above, the defendant, Ira Leslie Waltrip possessed child pornography knowingly and intentionally and not by accident or mistake while employed as a civilian contractor accompanying U.S. Armed Forces at Camp Liberty, Iraq..

Respectfully submitted,

Chuck Rosenberg
United States Attorney

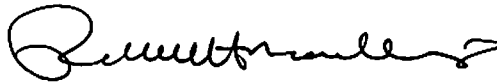
By: 
Gerald J. Smagala
Assistant United States Attorney

After consulting with my attorney and pursuant to the plea agreement entered into this day between the defendant, Ira Leslie Waltrip, and the United States, I hereby stipulate that the above Statement of Facts is true and accurate, and that had the matter proceeded to trial, the United States would have proved the same beyond a reasonable doubt.



Ira Leslie Waltrip

I am Ira Leslie Waltrip's attorney. I have carefully reviewed the above Statement of Facts with him. To my knowledge, his decision to stipulate to these facts is an informed and voluntary one.



Richard H. McWilliams, Esquire
Asst. Federal Defender
Attorney for Ira Leslie Waltrip